

September 16, 1986

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

Administrative Action

CONSENT ORDER

)
)
)

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of a copy of a direct mail advertisement that was sent by respondent and his then partner, Dennis Nitto, D.C. in an attempt to solicit independent evaluation work from local attorneys and insurance companies. The solicitation referred to respondent's ability to perform "independent medical examinations." Included with the mailing was a copy of respondent's resume which listed various organizations to which he supposedly is a consultant, including the National Board of Chiropractic Examiners Diplomate. The solicitation referred to respondent's having taken A.M.A. approved courses given by the American Disability Evaluation Research Institute (A.D.E.R.I.) and further stated that he was "one of only two chiropractors in the State

of New Jersey given the opportunity to take the course given by the A.D.E.R.I. and to become a member of the Association N.A.D.E.P. [National Association of Disability Evaluating Physicians]"

Respondent appeared with his attorney, George Chamlin, Esq., before the Executive Committee of the New Jersey State Board of Medical Examiners on July 30, 1986. Respondent testified that he had no intention to deceive the public in referring to his ability to perform "independent medical examinations." Respondent admitted that he had not been consulted by nor had he been a consultant to the National Board of Chiropractic Medical Examiners. He stated that he had been told that he was only one of two chiropractors in this State given the opportunity to take the course given by A.D.E.R.I. and to become a member of N.A.D.E.P., but he stated that he had not verified this information prior to including it in the solicitation. In order to resolve this matter and for good cause shown,

IT IS ON THIS 12th DAY OF September, 1986,
ORDERED that:

1. Respondent, Michael G. Adamczyk, D.C., be reprimanded for violation of N.J.A.C. 13:35-6.10 in that respondent, who is not a medical doctor, promoted a professional service, i.e., independent medical examination, which he knew or should have known, was beyond his ability to perform and by making misleading statements, i.e., that he was a consultant to organizations to which he is not, in fact a consultant, referring to A.M.A. approved courses, listing medical education without adequately explaining

such education and referring to his qualifications to perform "medical" examinations.

2. Respondent is hereby assessed a civil penalty in the amount of \$500.00 to be paid within 10 days of the receipt of this order.

3. Respondent shall cease and desist from further violation of the Board's advertising regulations.

STATE BOARD OF MEDICAL EXAMINERS

By Edward W. Luka, M.D.
Edward W. Luka, M.D.
President

I understand and consent to the terms of the above order.

Michael G. Adamczyk, D.C.
Michael G. Adamczyk, D.C.
Respondent

George Chamlin, Esq.
George Chamlin, Esq.
Attorney for Respondent